

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA

FILED
for Charlottesville
SEP 01 2005

JOHN E. GORCORAN, CLERK
BY: *F. Coleman*
DEPUTY CLERK

M-CAM,

Plaintiff,

v.

RICHARD D'AGOSTINO,
IPI FINANCIAL SERVICES, INC.,
AND PLX SYSTEMS, INC.,

Defendants.

CIVIL ACTION No. 3:05-CV-00006

ORDER

JUDGE NORMAN K. MOON

Before the Court is Defendant PLX Systems, Inc.,'s Motion to Dismiss. For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ADJUDGED, ORDERED AND DECREED

as follows:

1. The Motion to Dismiss shall be, and it hereby is, GRANTED with respect to Counts Six, Nine and Ten. Accordingly, Counts Six, Nine and Ten against Defendant PLX Systems, Inc., shall be, and they hereby are, DISMISSED from the docket of the Court.
2. The Motion to Dismiss shall be, and it hereby is, DENIED with respect to Counts Five, Eight and Eleven. Accordingly, Counts Five, Eight and Eleven against Defendant PLX Systems, Inc. shall remain on the docket of the Court.
3. The Motion For a More Definite Statement shall be, and it hereby is, DENIED.

The Clerk of the Court is hereby directed to send a copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

ENTERED:

James J. Mon
United States District Judge

9-1-05
Date